

"Or the location of the Mississippi and Pacific Railroad located on or near North latitude 32 degrees;" adopted.

On motion of Mr Taylor, of Fannin, the following proviso was annexed to the bill:

"Provided, that this Company shall not be entitled to any money now in the Treasury, as a loan from the State of Texas, unless hereafter granted by Legislative Act."

Mr Allen moved to amend by adding:

"Provided, that no patent shall issue, or title finally vest in said lands located by virtue of said certificates, for grading, until the completion of twenty-five miles of said road."

Mr McCulloch offered the following as a substitute for Mr Allen's amendment:

"Provided, no title shall be permanently vested in the Company or their assignees, to the land granted for the grading, as contemplated in this Act, until 25 miles of said road has been completed and put in running order"

Mr Weatherford moved to amend the substitute by striking out "25" and inserting "10"—lost and the substitute adopted.

The bill was then passed by the following vote:

YEAS—Messrs Allen, Armstrong, Bryan, Doane, Flanagan, Grimes, Gunn, Hord, McCulloch, McDade, Martin, Maverick, Millican, Palmer, Pirkey, Potter, Taylor, of Cass, Taylor, of F, Taylor, of Houston, Weatherford, White and Wren—22.

NAYS—Messrs Whitaker and Burroughs—2.

A message was received from the House, informing the Senate of the appointment of Messrs Smith, of Harris, Williams, of Lamar, Junker, Dancy, and Darden, of Gonzales, a select committee to act in conjunction with a like committee from the Senate, on the memorial of Gen. Thos. J. Chambers.

On motion of Mr Doane, the Senate adjourned till 10 A. M. to-morrow.

---

SATURDAY, JAN. 12th, 1856.

The Senate was called to order by the President pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

Mr Hill presented the petition of C P Flake, referred to the committee on private land claims no. 2.

Mr McCulloch presented the petition of John C Sheffield—referred to the committee on private land claims no. 2.

And the petition of the officers and members of Lodge No. 38, of the I. O. O. F.—referred to the committee on the Judiciary.

Mr Lott presented the petition of Elvira Harlass—referred to the committee on private land claims no. 1.

Mr Taylor of Cass, presented the petition of Sewell Brown and others for a Railroad Charter, referred to the committee on Internal Improvements.

Mr White presented the petition of Alvah Fitzpatrick, referred to the committee on private land claims no. 1.

Mr Whitaker, chairman of the committee on private land claims no. 2, made the following report:

The committee on private land claims no. 2, have examined the petition of Martin Clarke, and find that the petitioner is the son and sole surviving heir of Mary Smith, deceased, one of the early emigrants to Texas. That said Mary Smith was the mother of three illegitimate children—that she endured the sufferings and privations incidental to the early settlements of Texas; and was the head of a family prior to the declaration of Texian Independance. The question now arises whether or not she was entitled to a headright of land under the colonization laws of Mexico—a question which the committee will not undertake to determine, hence they present the facts with the accompanying bill for the consideration of the Senate.

A bill for the relief of the heirs of Mary Smith, deceased—read first time.

The committee on private land claims no. 2, have considered the petition of W C C Lynch, administrator of Margaret Culbertson, deceased, and find from the proof, that said Margaret emigrated with her family in 1837, to Texas, they therefore report the accompanying bill and recommend its passage.

A bill for the relief of the heirs of Margaret Culbertson, dec'd.—read first time.

The committee on private land claims no. 2, have had before them the petition of Powhattan Archer, and present the accompanying bill for his relief.

A bill for the relief of Powhattan Archer—read first time.

Mr Truit, from the committee on private land claims no. 1, to which was referred the petition of Jane Finch, referred the same back, recommending its rejection.

Mr Millican, chairman of the committee on Roads, Bridges and Ferries, made the following report:

The committee to which was referred a bill, granting to Benj T Duval the privilege of establishing a Ferry on the Neches river, and to protect his Mill from back water, have considered the same, and a majority of said committee, instruct me to report, that from the evidence before them, they are satisfied that said Duval has erected a fine flouring and saw mill, upon said

Neches river, at great expense, and that it is a suitable place for a ferry, being upon the public road leading from Palestine, in Anderson County, to Tyler in Smith County. A majority of the committee are of the opinion that it is right and proper to protect said Duval in the enjoyment of his property, and to grant him the privilege prayed for—they therefore instruct me to report the bill back, and recommend its passage.

Mr Hill, chairman of the committee on claims and accounts, to which was referred a bill for the relief of the heirs of Henry Whitney, reported a substitute therefor, recommending its adoption and passage.

Mr Hill, from the committee on the Judiciary, to which was referred a bill to define the 1st judicial district, and fix the times of holding courts therein, reported the same back, and recommended its passage.

Mr Potter, chairman of the committee on the judiciary, to which was referred a bill to incorporate the Neches River Causeway Company, reported the same back, recommending its passage.

Mr Pirkey, from the committee on public lands, made the following reports:

The committee on public lands, have examined the petition of C. R. Perry, asking for one league of land less 640 acres, for being wounded on the 12th of August, 1844, in a battle with the Comanche Indians. It appears from the evidence, that the petitioner has received his headright, bounty warrant, &c., and 640 acres of land by an act of the Legislature at its last session. A majority of the committee therefore, believe that the prayer of the petitioner should not be granted, and hence return the petition, recommending its rejection.

The committee on public lands have considered a bill for the relief of the Fowler Institute and Chappel Hill College, and your committee are satisfied that both Institutions are entitled to consideration, and that a few leagues of land could not be given to better purposes, than that of aiding those who are actually engaged in establishing respectable institutions of learning. But as the committee are not advised of any facts that make these an exception to other institutions of the same character, they have instructed me to report the same back, without recommendation or rejection.

The committee on public lands have had before them a bill for the relief of Hon. Jackson Bell, for seven leagues of land under contract, order of survey &c., dated after the closing of the Land Office. A majority of the committee are reluctant to give an opinion pro or con the relief sought, but instruct me to report

the bill with the evidence back to the Senate, and ask its reference to the Judiciary committee.

On motion of Mr Pirkey the rule was suspended, and the report taken up and adopted.

Mr Taylor of Cass, chairman of the committee on public debt, made the following report:

The committee on public debt have examined a bill to re-open the Auditorial Board, and after due consideration of the same, have determined that it is the policy of the State, to extend the old act for ascertaining the liabilities of the late Republic. From the best information within reach of the committee, there is not more than fifty or sixty thousand dollars out-standing against the State. This amount is for services and supplies, and no doubt the greater portion belongs to the heirs of deceased persons, who from some cause have been unable to present them. We think that no government should bar any just claim, and especially those due her own citizens. Those cases must be relieved by a re-opening of the Board, or by special legislation. Of the two, the former is by far preferable, and in accordance with our views, we herewith report a substitute for the bill, and recommend its adoption and passage.

On motion of Mr Wren, the vote on the final passage of a bill for the relief of Mrs. E. Crockett, was reconsidered, and the bill amended by adding, whereas the said Elizabeth Crockett now resides on the Pacific Railroad reserve, and wishes to remain thereon; therefore, she is hereby authorized to locate and survey 320 acres of land within said reserve, which shall be patented as if no such reserve existed. The bill was then read 3d time and passed.

On motion of Mr Hill, a bill supplementary to an act to incorporate the town of LaGrange, in the county of Fayette, was taken up, and read first time.

On motion of Mr Hill, the rule was suspended, bill read second time, and passed to a third reading, the rule further suspended, bill read third time, and passed.

Mr Guinn moved that all the bills reported from the House, and now on the President's table, be taken up and acted upon; carried.

A bill for the relief of the heirs at law of Wm. P. King; read first time.

On motion of Mr Guinn, the rule was suspended, bill read second time, and referred to committee on private land claims, No. 2.

A bill to incorporate the town of Linden, in the county of Cass; read first time, and on motion of Mr Taylor of Cass, the rule being suspended, read second time, and passed to a third reading.

On motion of Mr Flanagan the rule was further suspended, bill read third time and passed.

A bill to change the name of Julius Valentine Cook to that of Richard Valentine Cook; read first time. On motion of Mr Russell the rule was suspended, bill read second time, and referred to committee on the Judiciary.

A bill to authorize and require the county of Brazoria, to establish, discontinue, and regulate public and private roads in said county, and to cause public roads and bridges to be constructed and kept in good repair; read first time. On motion of Mr Bryan the rule was suspended, bill read second time and passed to a third reading.

Mr Bryan then moved the further suspension of the rule, which being carried, the bill was read third time and passed.

A bill to authorize and require certain suits pending in the counties of Hill and Ellis, to be transferred to the county of Johnson; read first time. On motion of Mr Weatherford the rule was suspended, bill read second time, and referred to committee on the Judiciary.

A bill to authorize A. F. Leonard to construct a bridge and erect a mill on the West Fork of Trinity River; read first time. On motion of Mr Guinn the rule was suspended, bill read second time, and referred to committee on roads, bridges, and ferries.

A bill for the relief of the heirs, assignees, and vendees, of W. F. Allison, deceased; read first time. On motion of Mr Guinn the rule was suspended, bill read second time, and passed to a third reading.

On motion of Mr Flanagan the rule was further suspended, bill read third time, and passed.

A bill for the relief of Geo. W. Shelton; read 1st time, and on motion of Mr Russell, the rule being suspended, read 2nd time and referred to the committee on public lands.

A bill requiring the Commission of the General land office, to perform certain duties therein mentioned; read 1st time.

On motion of Mr Allen, the rule was suspended, bill read 2nd time and referred to the committee on public lands.

A bill to authorize the Assessor and Collector of Tarrant county to collect the taxes assessed in the former territory of Tarrant county, (now Parker county) and pay over the same to the county treasurer of said Parker county; read 1st time.

On motion of Mr Weatherford, the rule was suspended, bill read 2nd time and referred to the committee on finance.

A bill for the relief of James W. Taylor; read first time.

On motion of Mr Guinn, the rule was suspended, bill read

second time and referred to the committee on private land claims no. 2.

A bill to provide for the erection and furnishing of a Fire-proof building to be used as a general land office for the State of Texas; read first time.

On motion of Mr Russell, the rule was suspended, bill read 2nd time and referred to the committee on public buildings.

A bill to remove the land office of the Milam land District, from Cameron in Milam county, to Belton in Bell county; read first time.

On motion of Mr Armstrong, the rule was suspended, bill read second time and passed to a third reading.

Mr Armstrong moved the further suspension of the rule—carried, and bill read third time and passed.

A bill supplemental to an act to incorporate the Sulphur fork turnpike company; read first time.

On motion of Mr Taylor of Cass, the rule was suspended, bill read second time and passed to a third reading.

On motion of Mr Pirkey, the rule was further suspended, bill read third time and passed by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Burroughs, Caldwell, Doane, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, Martin, Maverick, Millican, Palmer, Pedigo, Pirkey, Potter, Russel, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, Whitaker, White and Wren—27.

NAYS—None.

A bill to provide for the translation and transfer of a portion of the Archives of Bexar county; read first time.

On motion of Mr Potter, the rule was suspended, bill read second time and referred to the committee on State affairs.

A bill to establish the Western boundary line of Tyler county—read first time.

On motion of Mr Pedigo, the rule was suspended, bill read second time and passed to a third reading.

Mr Pedigo moved the further suspension of the rule—carried, and the bill was read third time and passed.

A bill to create and organize the 18th Judicial District and define the times of holding courts therein; read first time.

On motion of Mr McCulloch, the rule was suspended, bill read second time and referred to the Judiciary committee.

A bill to define the 4th Judicial District and prescribe the times of holding courts therein; read 1st time.

On motion of Mr Grimes, the rule was suspended, bill read 2nd time and referred to the committee on the Judiciary.

Mr Armstrong introduced a bill to establish the 19th Judicial

District and fix the time of holding courts therein; read first and second times and referred to the Judiciary committee.

On motion of Mr McCulloch, the report of the committee on public debt, on the petition of Samuel Swartwout and others, was taken up, and the

Bill for the relief of Samuel Swartwout and others, reported by the committee, was read and ordered to be engrossed.

On motion of Mr Potter, the rule was suspended, bill read third time and passed.

A message was received from the House informing the Senate that the House had passed a bill, originating in the House, for the relief of Thomas D. Cayce and Sarah White.

Mr Allen, chairman of the committee on enrolled bills, reported as correctly enrolled, properly signed, and this day presented to the Governor :

A bill to provide for the payment of six companies of mounted volunteers that were mustered into the service of the State of Texas, on the first day of November, 1854, under a requisition of Brevt Major General Persifer F. Smith, and to pay the expenses incurred by said company.

Mr Guinn, chairman of the committee on engrossed bills, reported correctly engrossed

A bill to incorporate the Memphis, El Paso and Pacific Railway company. And

A bill donating one league of land to Mrs Elizabeth Crockett.

Mr Martin presented the petition of Nedon Thomason; referred to the committee on public lands.

On motion of Mr Maverick the report of the select committee on the bill for the relief of the heirs of Benj. R. Milam, offering a substitute therefor, was taken up, and the substitute adopted.

Mr Taylor of Cass, moved to strike out "10" and insert "5"

On motion of Mr McDade, the bill was made the special order of the day for Saturday the 19th inst.

On motion of Mr Flanagan, the bill for the relief of Arthur G. Wavil, was made a special order for the same time.

On motion of Mr Martin, a bill for the relief of Geo. Peerman, was taken up—read and ordered to be engrossed.

On motion of Mr Martin, the rule was further suspended, bill read third time and passed.

A (House) bill for the relief of Thomas D. Cayce and Sarah White; read first time.

On motion of Mr Taylor of Cass, the rule was suspended, bill read second time and referred to the committee on claims and accounts.

On motion of Mr Caldwell, the report of the committee on counties and county boundaries, on a bill to create the county of Cibola, offering a substitute therefor, was taken up, read, and the substitute adopted.

Mr McCulloch moved to insert in the blank, the "1st Monday in April"—carried.

The bill was then ordered to be engrossed.

On motion of Mr Doane, the rule was further suspended, bill read third time and passed, by the following vote:

YEAS—Messrs. Allen, Bryan, Burroughs, Caldwell, Flanagan, Grimes, McCulloch, Martin, Maverick, Millican, Pirkey, Potter, Scarborough, Superveile, Truit, Weatherford, White and Wren—18.

NAYS—Messrs. Guinn, Palmer, Russell, Taylor of Houston, and Whitaker—5.

On motion of Mr Allen, a bill confirming the title of certain pre-emption settlers in Peter's Colony, was taken up, read third time and passed.

On motion of Mr Guinn, a bill for the relief of E. M. Thomson and others, was taken up, read third time and passed.

On motion of Mr Doane, a bill for the relief of Stevenson Archer, was taken up and the amendments reported by the committee on Finance, adopted.

The bill was then ordered to be engrossed.

On motion of Mr Weatherford, the rule was suspended, bill read third time and passed.

Mr Russell, from the committee on engrossed bills, reported a bill to authorize the commissioner of the General land office to issue a certificate to George Peerman, correctly engrossed.

On motion of Mr Flanagan, the Senate adjourned until 10 o'clock, Monday morning.

MONDAY, JANUARY 14th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called quorum present.

The Journal of Saturday was read and adopted.

Mr Taylor of Cass, presented the petition of S. A. White—referred to the committee on public lands.

Mr Hill presented the petition of the citizens of the town of Lagrange, asking the passage of a law to prohibit the sale of ardent spirits in said town; referred to the committee on the State affairs.

Mr Allen presented the petition of the citizens of Grayson county; referred to the committee on public lands.